



jc812 U.S. PTO

05/18/01

## EXPRESS MAIL CERTIFICATE

Date 5/18/01 Label No. 2706740622VS

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Name (Print)

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10/8/01

10986 U.S. PTO

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No: 3118/1H146US1

## DARBY &amp; DARBY P.C.

805 Third Avenue  
New York, New York 10022  
212-527-7700

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

RECEIVED  
MAY 24 2001  
OIFP/JCWS

Enclosed please find an application for United States patent as identified below:

Inventor/s (name ALL inventors): Robert D. Mass  
Mill Valley, CA

Title: GENE DETECTION ASSAY FOR IMPROVING THE LIKELIHOOD OF AN EFFECTIVE RESPONSE TO AN ERBB ANTAGONIST CANCER THERAPY

including the items indicated:

1. Specification and 23 claims: 4 indep.; 19 dep.;   multiple dep.; including 33 page(s) of written description; 4 page(s) of claims; 1 page(s) of abstract.
2.  Drawings,   sheets (Figs. )
3.  Executed Declaration/Power of Attorney  
 Unexecuted Declaration/Power of Attorney
4.  Application Data Sheet under 37 C.F.R. §1.76.

5.  Assignment for recording to:

Assignment was recorded at Reel No. , Frame No. , on .

Pursuant to 37 C.F.R. § 1.215(b), please print the following assignment information on the face of the published application:

Assignee: Genentech Inc.

6.  The applicant claims small entity status.

7.  Priority is claimed under 35 U.S.C. §119(b) of:

Country:

Number:

Date:

A certified copy of the prior document  is enclosed  will follow  was filed in a previous application.

8.  Priority is claimed under 35 U.S.C. §119(e) of:

Number: 60/205,754

Date: May 19, 2000

A certified copy of the prior document  is enclosed  will follow  was filed in a previous application.

9.  Request and Certification under 35 U.S.C. §122(b)(2)(B)(i) for Nonpublication.

10.  Payment in amount of \$844.00, (\$844 filing; \$0 recording)  
in the form of  
 check  
 deposit account no. 04-0100  
 credit card (see attached form)

(See attached Fee Computation Sheet)

- 11.  Preliminary Amendment
- 12.  Information Disclosure Statement
- 13.  Nucleotide or Amino Acid Sequence Listing.

Hard Copy       CRF

Date: May 18, 2001

Respectfully submitted,

  
\_\_\_\_\_  
Raina Semionow, Esq.  
Reg. No. 39,022  
Attorney for Applicant(s)

Serial No. To Be Assigned

Docket No. 3118/1H146US1

PATENT FEE COMPUTATION SHEET

No. of Claims Presented	Extra Claims Previously Paid For	Number of Extra Claims	Rate
Basic Fee . . . . .			\$710.00
Total Claims            23 - 20	- 0 = 3	x \$18.00	\$54.00
Independent Claims            4 - 3	- 0 = 1	x \$80.00	\$80.00
Multiple Dependent Claims	- if so, add	\$270.00	\$0.00
Surcharge for late submission of filing fee and/or declaration (\$130.00)			\$0.00
SUBTOTAL . . . . .			\$844.00
Small Entity REDUCTION (Half of Subtotal) . . . . .			\$0.00
Fee for recordation of assignment (\$40.00) . . . . .			\$0.00
Charge for filing non-English language application (\$130.00) . . . . .			\$0.00
TOTAL . . . . .			\$844.00